

REMARKS

Claims 1, 5, and 23 have been amended. Claims 1, 4-9, and 23-28 are pending in the application. In view of the following remarks, Applicant respectfully requests that the application be forwarded on to issuance.

Double Patenting

Claims 1, 4, 5, and 23-27 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 4, and 11 of U.S. Patent No. 7,280,346.

Claims 1, 5-8, and 23-28 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 6, 12-15, 17, 22-31, and 33 of U.S. Patent No. 7,187,364.

Applicant respectfully requests that the Office hold these double patenting rejections in abeyance until the indication of allowable subject matter.

Rejection under § 112

Claims 5 and 23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claim 5 by removing the term “approximately” and has amended claim 23 by removing the term “substantially”. As such, Applicant requests that the § 112 rejection of claims 5 and 23 be withdrawn.

Rejections under § 103

Claims 1, 4-8, and 23-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,850,226 to Finke-Anlauff (“Finke-Anlauff”) in view of U.S. Patent No. 6,882,335 to Saarinen (“Saarinen”) and further in view of U.S. Patent No. 5,408,060 to Muurinen (“Muurinen”).

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Finke-Anlauff in view of Saarinen and further in view of Muurinen and further in view of U.S. Publication No. 2005/0020325 to Enger.

The Claims

Claims 1 and 23 have been amended to recite:

the first plurality of glyphs located on a first plurality of surfaces of the plurality of physical keys, the second plurality of glyphs located on a second plurality of surfaces of the plurality of physical keys, the second plurality of surfaces located beneath the first plurality of surfaces of the plurality of physical keys, wherein the first plurality of glyphs and the first plurality of surfaces are semi-transparent or semi-translucent with respect to the one or more light sources located beneath the plurality of physical keys

Support for this amendment can be found throughout Applicant's specification, and at least at Fig. 12 and paragraphs 0056-0058 of Applicant's specification. Applicant respectfully submits that none of the references of record, either alone or in combination, teach or suggest the elements of claims 1 or 23, as amended.

In making out the rejection of claim 1, the Office argues that Muurinen teaches "illuminating specific symbols or area of a key on a keyboard depending on the operational mode of the device and the source of the light received by the device, wherein light from a source external to the keyboard illuminates certain symbols on a key while light from an LED or background light internal to the keyboard" (*Office Action*, page 12). Even assuming *arguendo* that Muurinen teaches an internal light source and an external light source, Muurinen clearly does not teach or suggest that an internal light source and an external light source can be used in the same embodiment. For example, the Office cites to Fig. 11 as teaching an external light source. Even assuming *arguendo* that Fig. 11 teaches an

external light source, Fig. 11 clearly does not depict a light source located beneath a key.

Furthermore, Applicant respectfully submits that none of the references of record teach or in any way suggest “first plurality of surfaces” and a “second plurality of surfaces located beneath the first plurality of surfaces” where “the first plurality of surfaces are semi-transparent or semi-translucent with respect to the one or more light sources located beneath the plurality of physical keys”, as recited in claims 1 and 23 as amended.

Accordingly, for at least the reasons discussed above, Applicant respectfully submits that claims 1 and 23 are in condition for allowance. Claims 4-9, 25, and 26 depend from claims 1 or 23, and are allowable for at least the reason that they depend from an allowable base claim. Additionally, to the extent that claim 9 is further rejected in view of Enger, Applicant submits that Enger fails to add anything of significance. Applicant respectfully requests that the 35 U.S.C. §103 rejections be withdrawn, and requests a phone call if the Examiner thinks there are any further issues that might delay issuance.

Conclusion

All of the claims are in condition for allowance. Accordingly, Applicant requests that the Office issue a Notice of Allowability. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

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